

FILE NO.: Z-8604-A

NAME: Talbert Revised Short-form PCD

LOCATION: Located at 18601 Kanis Road

DEVELOPER:

Heike Talbert
1 Etrier Court
Little Rock, AR 72223

ENGINEER:

White-Daters and Associates
24 Rahling Circle
Little Rock, AR 72223

AREA: 2.192 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

CURRENT ZONING: PCD

ALLOWED USES: Beauty Salon, Art Studio and Gallery, Antique Shop

PROPOSED ZONING: Revised PCD

PROPOSED USE: Add additional uses as allowable uses

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Ordinance No. 20,364 adopted by the Little Rock Board of Directors on December 7, 2010, rezoned the site from R-2, Single-family to PCD to allow the reuse of an existing single-family structure as a beauty salon (with 4-stylists), art gallery and antique shop within the former residence located on the site. The approval allowed an existing 28-foot x 28-foot shed to be converted into a studio and allowed the owner to provide art lessons. 23-parking spaces within the rear yard area were proposed to serve the proposed uses of the buildings.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The parking areas have developed and the applicant is using the site for art lessons and as a gallery. The beauty salon has closed. The applicant is requesting to revise the previously approved PCD to add additional alternative uses as allowable uses for the site to allow flexibility in leasing the space. These uses include: Antique shop with repair, Animal kennel/day spa, Amusement commercial inside and outside, Appliance repair, Auction general merchandise, Auto parts and accessories, Auto paint or body rebuilding shop, Auto glass or muffler shop, Auto parts, sales with limited motor vehicle parts installation, Auto rental or leasing (no sales), Auto repair garage, Bakery or confectionery shop, Bank or savings and loan office, Governmental or private recreational uses, including but not limited to golf course, tennis courts, swimming pools, playgrounds, day camps and passive recreational open space, Bottled gas sales and service, Clinic (medical, dental or optical), Day camp, Day nursery or day care center, Day care center adult, Duplication shop, Establishment of religious, charitable or philanthropic organizations, Laboratory, Library, art gallery, museum or similar public use, Office (general and professional), Private school, kindergarten or institution for special education, Plant nursery, School (public or private), School (commercial trade or craft), Secondhand store, used furniture or rummage shop, Shoe repair, Studio (art, music, speech, drama, dance or other artistic endeavors), Storage unit facility, Travel bureau, Single family residence, Two family residences, Animal clinic, Barber and beauty shops, Beverage shop, Book and stationary store, Cabinet or woodwork shop, Carwash, Catering, commercial, Camera shop, Cigar, tobacco or candy store, Clothing store, Community, welfare or health center, Contractor or maintenance yard, Church, Custom sewing and millinery, Duplication shop, Drug store or pharmacy, Eating place without drive-in service, Eating place inside and outside, Event center, Florist shop, Food store, Feed store, Furniture store, Furniture repair store, Group care facility, Glass or glazer, installation, repair and sales, Handicraft, ceramic or glass sculpture or similar art work, or 2-dimensional art work, Hardware or sporting goods store, Hauling and storage company, Health studio or spa, Hobby shop, Home center, Jewelry store, Job printing, lithographer, printing or blueprinting, Key shop, Laundromat or pickup station, Laundry, domestic cleaning, Lawn and garden center, Landscape service, Medical appliance fittings and sales, Mini-warehouse, Multi-family dwellings (per the R-5 district), Nursing home or convalescent home, Office warehouse, Office, showroom warehouse, Office showroom with warehouse (with retail sales, enclosed), Office equipment sales and service, Optical shop, Paint and wallpaper store, Pet shop, Pawnshop, Veterinary clinic, Photography studio, Plumbing, electrical, air conditioning or heating shop, Private club with dining or bar service, Retail shop, Retail uses not listed (enclosed) Retail uses not listed (with outside display), Seasonal and temporary sales, outside, School (business), Small engine repair, Studio (broadcasting or recording), Swimming pools sales and supply, Tailor shop, Taxi office, Tool and equipment rental, Truck or trailer rental or leasing (no service, sales or repair), Upholstery shop, furniture, Upholstery shop, auto, Warehouse and wholesaling.

B. EXISTING CONDITIONS:

The site contains a converted single-family structure and a number of outbuildings and sheds. The previously approved parking area in the rear of the structure has been paved. The building is set back from Kanis Road with a narrow drive extending from Kanis Road. The property to the east is zoned POD and has developed with office uses. There is an existing office building located along the eastern portion of the adjacent site. The property to the west is overgrown and abandoned. There is a church located further west along with a commercial business located on C-3, General Commercial District zoned property nearer the intersection of Kanis and Stewart Roads. North of the site is property zoned C-1, Neighborhood Commercial which is currently being used as a hair salon. Other uses in the area include single-family residences located on large lots or acreage.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received one informational phone call from an area resident. All property owners located within 200-feet of the site were notified of the public hearing. There is not an active neighborhood association located in the area.

D. SUBDIVISION COMMITTEE COMMENT: (June 4, 2014)

The applicant was not present. Staff presented the item stating there were no outstanding technical issues associated with the request. Staff stated they would work with the applicant to address any questions or concerns prior to the public hearing. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

E. ANALYSIS:

There were no outstanding technical issues in need of addressing raised at the June 4, 2014, Subdivision Committee meeting. The applicant is not proposing any site changes only the allowance of additional uses as allowable alternative use for the existing buildings and parking. The applicant has identified a number of potential future uses for the site (as outlined in the proposal section of this write-up). Staff has reviewed the requested uses and is not in support of a number of the uses. A number of the uses indicated on the proposed list are intense commercial uses or uses which are located outdoors or have an outdoor component. The property is shown as Residential on the City's Future Land Use Plan. There are few commercial uses located in the area with an office development to the east and a church located to the west.

As noted the current approval allows for a beauty salon with 4-stylists, art studio and gallery and an antique shop. In addition to the existing allowable uses staff is supportive of allowing the following additional uses as allowable alternative

uses: Antique shop with repair, Clinic (medical, dental or optical), Day nursery or day care center, Day care center adult, Library, art gallery, museum or similar public use, Office (general and professional), Studio art, music, speech, drama, dance or other artistic endeavors), Travel bureau, Single family residences, Two family residences, Animal clinic (enclosed), Barber and beauty shop (with up to 5-stylist), Book and stationary store, Camera shop, Florist shop, Heath studio or spa, Photography studio, Studio (broadcasting or recording), Tailor shop, Upholstery shop, furniture.

Staff feels this limited listing of uses allows the applicant additional opportunities for leasing the space but also protects in the integrity of the neighborhood. Staff does not feel this location is a commercial or retail location. The retail uses staff has supported are typically low volume retail uses and do not appear to generate a significant amount of traffic. Staff is not supportive of the application as filed but is in support of allowing the applicant the additional uses as noted above.

F. STAFF RECOMMENDATION:

Staff recommends denial of the request as filed.

PLANNING COMMISSION ACTION:

(JUNE 26, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item stating they had worked with the applicant to reduce the list of requested uses. Staff stated in addition to the uses staff was agreeable to listed in the analysis section of the staff agenda write-up they were also agreeable to allowing the use of the building as a small restaurant/café. Staff stated the applicant was required to seek all approvals from the State Health Department for the operation of the restaurant. Staff stated in conjunction with the restaurant the applicant would be allowed to seek a license from the ABC Board for a permit to sell wine and/or beer for on-site consumption. Staff stated the applicant was requesting an area for an outdoor patio which they were also in support of allowing. Staff stated the uses of the building including the outdoor patio were to match the parking available on the site.

Staff stated to their knowledge there were no remaining outstanding technical issues associated with the request. Staff presented a recommendation of approval of allowing the applicant to add the additional uses as indicated in the analysis section of the agenda – outlined below for clarification – and a restaurant/café.

Antique shop with repair, Clinic (medical, dental or optical), Day nursery or day care center, Day care center adult, Library, art gallery, museum or similar public use, Office (general and professional), Studio art, music, speech, drama, dance or other artistic endeavors), Travel bureau, Single family residences, Two family residences, Animal clinic (enclosed), Barber and beauty shop (with up to 5-stylist), Book and stationary store, Camera shop, Florist shop, Heath studio or

spa, Photography studio, Studio (broadcasting or recording), Tailor shop, Upholstery shop, furniture.

There was no further discussion of the item. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 10 ayes, 0 noes and 1 absent.